

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, OHIO, MET IN REGULAR SESSION ON APRIL 22, 2021 IN ACCORDANCE WITH OHIO REVISED CODE 305.05, WITH THE FOLLOWING MEMBERS PRESENT: KEVIN J. RITTER, PRESIDENT. CHARLIE L. SCHILLING, VICE PRESIDENT. JAMES W. BOOTH, MEMBER. THE MEETING WAS CALLED TO ORDER AT 9:00 A.M. BY THE PRESIDENT OF THE BOARD. MR. RITTER LED THOSE ATTENDING IN THE PLEDGE OF ALLEGIANCE TO OUR FLAG, AND MR. RITTER OFFERED PRAYER.**

Also attending:

Diane Davis, Director of Human Resources  
Rick Dostal, Building Department Official  
Karl Comstock, Maintenance Superintendent  
Roger Wright, County Engineer  
Donnie Rader, Director of I.T.  
Dawn Freeland, Job & Family Services  
Jarrod Jenks, Job & Family Services  
David Browne, Behavioral Health Board  
Jared Smith, Veterans Service  
Dave Stutzman  
Lloyd Booth  
David Sands  
Brandon Gibbs  
Susan Eddy  
Jim Black, WCEMS  
Phil Lowe, Beverly VFD  
Mark Stanley  
Randy Hockenberry  
Jeff Church  
Stephen Heiss  
Gary Skinner  
Dave Eddy  
Brandon Mills  
Lucia Duff  
Gerald Antill  
Alan Schott  
Michele Newbanks, *Marietta Times*  
Ben Cowdery, Fiscal Manager/Clerk  
\*Approximately a dozen citizens in addition to those named

**Washington County Commissioners  
AGENDA  
9:00 am, April 22, 2021**

9:00 Business Meeting  
9:30 CDBG Critical Infrastructure  
10:00 Common Pleas – Drug Court Grant

**UNFINISHED BUSINESS**

Sewer Rate Discussion

**NEW BUSINESS**

Approve Agenda  
Approval of previous meeting minutes  
Bills from various departments  
Resolution for support of the Second Amendment  
Resolution for support to rename Veterans Service Building  
Additional Appropriation – Sheriff (7)  
Additional Appropriation – Building Department  
Additional Appropriation – Job & Family Services  
Additional Appropriation – Maintenance  
Additional Appropriation – Juvenile Center  
Additional Appropriation – Engineer (2)  
Transfer – Auditor  
Transfer – Clerk of Courts  
Then & Now  
JFS – Subgrant Agreement with Family & Children First  
Transit – 2022 Federal and State Operating & Capital Applications  
Covid Taskforce – Request #2021-12  
Matamoros Area Seniors – Request for Senior Levy Funds  
MARCS Tower Fees billing to Fire Departments

**DATES TO REMEMBER**

Viewing to vacate Bartlett Street, 10:30 a.m. May 6, at intersection of South Street and State Route 555

**RE: APPROVAL OF AGENDA**

Mr. Schilling moved and Mr. Booth seconded a motion to approve the agenda with the following changes:

Add: Sunday Creek Horizons Agreement

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: APPROVAL OF MINUTES**

Mr. Booth moved and Mr. Schilling seconded a motion to dispense with the reading and approve the minutes of the April 15, 2021 regular meeting.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: BILLS FOR PAYMENT**

Mr. Schilling moved and Mr. Booth seconded a motion to approve the list of bills from various departments for payment, as prepared by the county auditor. Commissioner Schilling noted that approximately \$640,000 of this week's bills is the distribution of Permissive Sales Tax to the 22 townships in the county, and that Washington County is the only county in the state that does so.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: RESOLUTION FOR SUPPORT OF THE SECOND AMENDMENT**

Mr. Schilling moved and Mr. Booth seconded a motion to adopt a resolution for Washington County, Ohio to declare support of the Second Amendment. Commissioner Booth read the resolution to those in attendance.

**WHEREAS**, The Ohio Constitution: Article 1, Section 4 states that "The people have the right to bear arms for their defense and security"; and

**WHEREAS**, The Second Amendment of the Constitution of the United States of America states "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed"; and

**WHEREAS**, The Second Amendment of the Constitution of the United States of America was ratified in 1791, and is still the Law of the Land; and

**WHEREAS**, Article 6 of the Constitution of the United States of America states "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding" and

**WHEREAS**, Article 15, Section 7 of the Ohio Constitution states: "Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath of office or affirmation, to support the Constitution of the United States;

**WHEREAS**, County Commissioner Kevin Ritter, County Commissioner James Booth, and County Commissioner Charles Schilling have all taken such oath and are obligated to support the Constitution of the United States, including the Second Amendment; and

**WHEREAS**, the Board of County Commissioners of Washington County, Ohio does not have unlimited authority, but only the authority granted to it by the Ohio legislature;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Washington County, Ohio in its effort to protect the Washington County Citizens' Second Amendment Rights, hereby affirms its support for the Second Amendment to the United States Constitution, and expresses its deep commitment to protecting the Washington County Citizens Second Amendment Rights to the extent permitted by its statutory authority, and declares this to be a Second Amendment Preservation Resolution; and

**BE IF FURTHER RESOLVED**, that through its passage of this Second Amendment Preservation Resolution the Board of Commissioners of Washington County, Ohio declares Washington County, Ohio to be a "Second Amendment Sanctuary County, where the constitutionally protected individual rights of law abiding citizens to keep and bear arms, and of their use in the security and defense of self, family, others, and property, are supported; and;

**BE IT FURTHER RESOLVED**, that as a "Second Amendment Sanctuary County," the Board of County Commissioners hereby declares its opposition to unconstitutional restrictions on the right to bear arms; opposes any efforts to unconstitutionally restrict all such rights secured by the Bill of Rights; pledges to vocalize its support of the Second Amendment to the state and national legislatures to cease and desist any actions restricting the Second Amendment rights of Ohioans when necessary; and otherwise

generally advocate for the preservation of the Second Amendment rights of the citizens of Washington County, Ohio to the extent permitted by its statutory role under Ohio law; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Board of County Commissioners for Washington County, Ohio hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner Schilling said he is impressed by the support shown for the Second Amendment.

Commissioner Ritter read the following statement:

*First of all, I'd like to thank our guests who are here. I appreciate your work and commitment on this issue.*

*Last year the Board of Commissioners was approached by concerned citizens asking for a resolution reaffirming the Second Amendment of the United States Constitution. While I am a supporter of the Second Amendment, and a concealed carry permit holder, I opposed passing a resolution at that time.*

*My reasoning was this: As Americans we already enjoy a constitutional right to keep and bear arms. That right is reaffirmed by the Ohio Constitution. As such, I saw a local resolution as redundant. Furthermore, because our office lacks the power to legislate, any resolution the Board of Commissioners would have passed would have been entirely symbolic. Finally, at the time we were originally asked, there was little serious discussion about limiting the Second Amendment.*

*Well, let's be honest, things have changed dramatically in a year. The present occupant of the White House said repeatedly during his campaign that, if elected, he would sidestep the legislative process and use executive action on gun control. He has made good on that promise. Only two weeks ago, in a Rose Garden speech, the President indicated just what sort of defender of the Constitution he intends to be when he stated, "No Amendment to the Constitution is absolute!"*

*I'm left to wonder if he includes in that description the 13<sup>th</sup> outlawing slavery, or the 19<sup>th</sup> granting women the vote, along with the 2<sup>nd</sup> Amendment.*

*Since the founding of our nation, the right to bear arms has been one of the fundamental liberties guaranteed by our Constitution. After all, Thomas Jefferson said, "What country can preserve its liberties if their rulers are not warned from time to time that the people preserve the spirit of resistance?"*

*In my view, there exists today, at both the state and federal level, a significant threat to the Second Amendment. It is because of that threat, and with a full understanding that our actions today are purely symbolic, that I favor this resolution. It is time to send the state and federal capitals a message, the citizens of Washington County do not intend to surrender our right to bear arms responsibly.*

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

#### **RE: RESOLUTION FOR SUPPORT TO RENAME VETERANS SERVICE BUILDING**

Mr. Booth moved and Mr. Schilling seconded a motion to adopt the following resolution:

**WHEREAS**, on January 26<sup>th</sup>, 2021 the Washington County Veterans Service Commission voted unanimously to rename the Washington County Veterans Service Office in the memory of Veteran Service Officer Chad Wright; and

**WHEREAS**, Veteran Service Officer Chad Wright was hired in 2012 and continued to work as a VSO until his death in 2020. Chad Wright was a Marine Veteran who served in both Iraq and Afghanistan; and

**WHEREAS**, Chad Wright was a co-founder of the Mid-Ohio Valley Veterans Outreach, a nonprofit organization designed to assist veterans in their time of need. Chad Wright organized fundraisers and promoted events to both raise funds and awareness to veterans issues; and

**WHEREAS**, the Washington County Veterans Service Commission lost a great advocate with the passing of Chad Wright.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Washington County Commissioners fully supports Veterans Service Commission Resolution to rename the Washington County Veterans Service Office in the memory of Veteran Service Officer Chad Wright.

Commissioner Schilling presented Sarah Wright, widow of Chad Wright, with a signed copy of the resolution.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

#### **RE: ADDITIONAL APPROPRIATIONS**

Mr. Booth moved and Mr. Schilling seconded a motion to approve requests for the following additional appropriations:

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Dog & Kennel	200-0363-53401	\$ 16.00
Sheriff	100-0384-54401	\$ 143,757.00
Sheriff	100-0384-53401	\$ 1,934.00
Commissary	200-0383-54400	\$ 2,000.00
Jail	100-0381-51110	\$ 979.94
Jail	100-0381-53010	\$ 1,625.00
Jail	100-0381-53000	\$ 11,635.00
Building Department	100-0170-53403	\$ 3,170.00
Job & Family Services	200-0720-51110	\$ 5,000.00
Maintenance	100-0109-51110	\$ 133.00
Juvenile Center	100-0330-51110	\$ 1,901.69
Engineer	210-0553-53000	\$ 58,683.49
Engineer	200-0540-53410	\$ 2,180.00

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: TRANSFERS**

Mr. Schilling moved and Mr. Booth seconded a motion to approve the following requests for transfer of funds:

<u>Department</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Auditor	200-0122-55200	200-0122-53202	\$ 900.00
Auditor	200-0122-53403	200-0122-53202	\$ 905.00
Clerk of Courts	200-0233-53000	200-0233-53401	\$ 14.00

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: THEN & NOW**

Mr. Booth moved and Mr. Schilling seconded a motion to approve the following Then & Now Certificates:

<u>Department</u>	<u>Account</u>	<u>Vendor</u>	<u>Amount</u>
CDBG	210-0807-57403	Johnson Fire Equip	\$ 12,100.00
Family & Children First	602-2033-57400	FCF	\$ 1,780.14
Family & Children First	602-2031-53005	John Buskirk	\$ 840.00
Common Pleas Court	215-0208-53000	Sheriff Office	\$100,000.00
Developmental Disabilities	200-0620-53400	R.H.D.D.	\$ 551.53
Sewer	400-0113-53000	Jani Source	\$ 172.95

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: JFS – SUBGRANT AGREEMENT WITH FAMILY & CHILDREN FIRST**

Mr. Schilling moved and Mr. Booth seconded a motion to approve a subgrant agreement between Washington County Job & Family Services and Family & Children First. Per the agreement, FCF will provide home visits, parenting classes, and provide child development screenings to TANF eligible individuals. The subgrant agreement will be effective from April 26, 2021 through September 30, 2021. The total amount of the grant is \$45,000.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: TRANSIT – 2022 FEDERAL & STATE OPERATING & CAPITAL APPLICATIONS**

Mr. Booth moved and Mr. Schilling seconded a motion to approve submitting applications to Ohio Department of Transportation for the 2022 Bus & Bus Facilities (5339) and Operating & Capital Maintenance (5311) grants. CABL Bus Lines is applying for a new bus under the 5339 grant, requesting \$60,747 in federal funding and \$15,187 in state funding for match. CABL Bus Lines is applying for funding under the 5311 grant program, requesting the following amounts:

Federal Operating	\$219,000
Federal Capital Maintenance	\$233,600
State General Revenue	\$181,400
State E&D	\$4,500
County Local Match	\$54,500
City of Marietta CDBG	\$37,000
<b>Total Budget</b>	<b>\$730,000</b>

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: COVID TASKFORCE – REQUEST #2021-12**

Mr. Booth moved and Mr. Schilling seconded a motion to approve the Washington County COVID-19 Taskforce Request #2021-12. The taskforce reviewed ongoing COVID related expenses and requests a total of \$535 for payment for covid testing from the CARES Act funds received by the county.

A calling of the roll resulted in the following vote: Kevin Ritter aye. James Booth aye. Motion passed.

**RE: MATAMORAS AREA SENIORS – REQUEST FOR SENIOR LEVY FUNDS**

Mr. Schilling moved and Mr. Booth seconded a motion to approve a request from Matamoras Area Senior Citizens for \$1,873 of Senior Levy Funds to install insulation in their building.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: MARCS TOWER MAINTENANCE FEES**

Mr. Booth moved and Mr. Schilling seconded a motion to approve payment of MARCS towers maintenance fees by the county for calendar year 2021. Washington County will not bill the fire departments for reimbursement of those fees this year. Commissioner Schilling thanked the Fire Departments for their service. Mr. Schilling said most of the Fire Departments are funded by townships and this is a step in the right direction to help the townships.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: SUNDAY CREEK HORIZONS AGREEMENT**

Mr. Booth moved and Mr. Schilling seconded a motion to approve an agreement with Sunday Creek Horizons to seek additional funding for the Devola Sewer Project. Commissioner Ritter said Sunday Creek Horizons is a consulting group from the Athens area. Mr. Ritter said this is a month by month agreement and can be canceled anytime. Mr. Ritter is confident that Sunday Creek Horizons can help Washington County secure additional funding. Commissioner Schilling said the Commissioners researched Sunday Creek Horizons and had meetings with them before making a decision. Commissioner Booth said the agreement allows the county to have a multiple prong approach to secure funding for the project. The cost to the county will be \$7,000 month for Sunday Creek Horizon's services.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: CDBG CRITICAL INFRASTRUCTURE PROPOSALS**

The Commissioners were presented with the following four proposals for consideration to submit for the CDBG Critical Infrastructure grant:

1. Beverly – Emergency connection for ¾ mile water line for backup \$387,000  
Presented by Jeff Carr, ADR & Associates
2. Lowell – New wells and treatment plant \$1,300,000 total cost  
Presented by Jeff Carr, ADR & Associates
3. County Road 76 Cats Creek Bridge repair \$338,000  
Presented by Roger Wright, Washington County Engineer
4. Highland Ridge Water – Replace 8" main with 10" poly pipe \$562,000  
Presented by Judy Mercer, Highland Ridge Water Association

**RE: COMMON PLEAS DRUG COURT – CONTRACT WITH ORIANA HOUSE**

Mr. Schilling moved and Mr. Booth seconded a motion to approve a contract with Oriana House for the provision of services to the Court's Compass Drug Court program. Oriana House will provide Drug Treatment Consultation Support and Services, in accordance with the terms of the Bureau of Justice Assistance Grant. The contract is effective from October 1, 2020 through September 30, 2023. Total payment for services will not exceed the BJA grant amount of \$500,000. Judge Kerenyi said the program does not cost the county anything. The program provides treatment for drug offenders instead of incarceration. Judge Kerenyi said participants in the program will often help each other to successfully complete treatment.

A calling of the roll resulted in the following vote: Kevin Ritter aye. Charlie Schilling aye. James Booth aye. Motion passed.

**RE: ADJOURNMENT**

Mr. Booth moved and Mr. Schilling seconded a motion to adjourn. A calling of the roll resulted in a unanimous vote in favor. The meeting adjourned at 10:15 a.m.

\_\_\_\_\_, President

\_\_\_\_\_, Vice President

\_\_\_\_\_, Member

\_\_\_\_\_, Clerk